

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

TRAVIS SRADER,
Institutional ID No. 1131536,
SID No. 5881459,

Plaintiff,

V.

TDCJ, *et al.*,

Defendant(s).

CIVIL ACTION NO.
5:12-CV-167-C
ECF

ORDER

The United States Magistrate Judge entered a Report and Recommendation on November 1, 2012, recommending that the District Court grant Plaintiff's Motion to Dismiss filed October 31, 2012, and dismiss Plaintiff's complaint and all claims alleged therein pursuant to Federal Rule of Civil Procedure 41(a)(2).

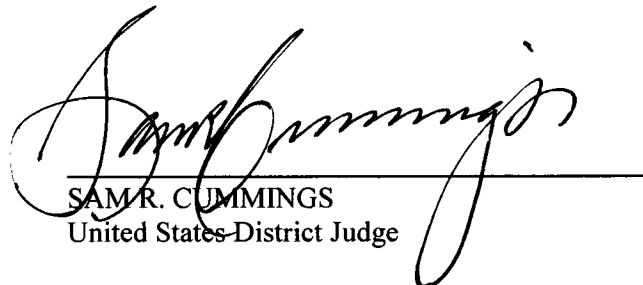
The Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge.

It is, therefore, ORDERED:

- (1) Plaintiff's Motion to Dismiss filed October 31, 2012, is GRANTED.
- (2) Plaintiff's complaint and all claims alleged therein are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).
- (3) Any pending motions are denied.

Plaintiff is admonished that if he re-files his civil rights complaint, he must either pay the full filing fee of \$350.00 or file an application to proceed *in forma pauperis* and a certificate of his inmate trust account.

Dated November 6, 2012.


SAM R. CUMMINGS
United States District Judge